



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**MICHAEL A. CARDOZO**  
*Corporation Counsel*

**JESSICA GIAMBRONE, ESQ.**  
Labor and Employment Law Division  
Phone: (212) 788-6760  
Fax: (212) 341-3934  
Email: [jgiambro@law.nyc.gov](mailto:jgiambro@law.nyc.gov)

October 11, 2012

**BY ECF**

Honorable Roslynn R. Mauskopf  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re Portelos v. City of New York, et al.  
12 Civ. 3141 (RRM)(JMA)

Dear Judge Mauskopf:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for Defendants City of New York, Board of Education of the City School District of the City of New York (also known as and being sued herein as the "New York City Department of Education") ("DOE"), and Dennis Walcott in the above-referenced action.<sup>1</sup> I have recently been assigned the instant matter and now write to inform the Court that Defendants do indeed wish to proceed with the filing of a motion to dismiss as was proposed by the former handling attorney, Assistant Corporation Counsel Seacord.

Parties have agreed and jointly propose the following briefing schedule:

- Defendants to serve Plaintiff with Motion to Dismiss by Wednesday, November 14, 2012.

---

<sup>1</sup> As of this writing, Corporation Counsel does not yet represent Principal Hill. An investigation regarding the appropriateness of such representation is ongoing. Upon information & belief, Principal Hill has only recently been served and therefore the time period for which she is to respond to the Complaint has not yet expired.

- Plaintiff to serve Defendants with opposition papers by Friday, November 30, 2012.
- Defendants to serve reply papers, if any, by Thursday, December 6, 2012; at which time Defendants shall file the fully briefed motion with the Court.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Jessica Giambrone

Assistant Corporation Counsel

cc: Bryan Glass, Esq. (By ECF)  
Glass Krakower, LLP  
Attorneys for Plaintiff  
100 Church Street, 8th Floor  
New York, New York 10006  
Phone: (212) 537-6859  
bg@glasskrakower.com